

Sir, the contention of Hon'ble Mr. Nagappa is that it is open to this House to limit the number of Ministers, Deputy Ministers or Ministers of State. Sir, I think that is beyond the legislative ambit of this House. I will just point out article 164 which states like this :

“164. (1) The Chief Minister shall be appointed by the Governor and the other Ministers shall be appointed by the Governor on the advice of the Chief Minister, and the Ministers shall hold office during the pleasure of the Governor.”

Sir, when this article 164 is quite clear and we cannot restrict the discretion of the Chief Minister. If any Chief Minister wants to limit the number of Ministers, it is left to him to do so. When the Hon'ble Member gets an opportunity, let him do it. I shall have no objection.

But Sri Nagappa cannot bring forward an amendment to section 3 of the Ministers' salaries Act to fetter the discretion of the Hon'ble Chief Minister. Therefore the amendment that the Hon'ble Member is seeking to move is inadmissible both on the ground that it is not germane to the Amending Bill and also that it is against the Constitutional provision.

SRI M. NAGAPPA.—Sir, one of my amendments has been accepted and it is not ruled out saying that it is against the Constitution. It has been held to be within the scope of the Bill regarding the state Ministers. But in this case it cannot be ruled out now by saying that it is not within the competence of this House. The Constitution has given to this House the power to fix the salaries and allowances of Ministers; when you fix their salaries, naturally you also fix the number. The salary is fixed by the Legislature and therefore the Legislature is competent to say that the number of Ministers shall be so much. When we are given the power to fix the salary, indirectly it gives us the power to fix the minimum and the maximum number of Ministers, so that we can try to balance our finances by fixing this number. Therefore there is no restriction in Article 164. The argument of the Hon'ble Minister for Parliamentary Affairs is not tenable. The Hon'ble Chair has accepted a similar amendment and it has therefore to admit this amendment also.

SPEAKER'S RULING re : AMENDMENT TO THE AMENDING BILL BY SRI M. NAGAPPA

Mr. SPEAKER.—Sri M. Nagappa has raised three points for consideration. His view appears to be that any provision of the Principal Act which is not sought to be amended can also be subjected to

(MR. SPEAKER)

amendment filed by the Hon'ble Member. I am sorry, the Chair I cannot subscribe to this view. Rule 81 of the Rules of Procedure lays down the conditions governing the admissibility of amendments. The very first condition is: the amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates. The Hon'ble Member may consider This provision. Therefore the first test to be applied is, whether the amendment is within the scope of the Bill. The second is whether it is relevant to the subject matter of the clause to which it relates. Now certain clauses are sought to be amended by the present Bill. We have to see whether it is relevant to the subject matter of the clause to which it relates. The relevant clauses to which the amending Bill is applicable are mentioned in the Bill. Therefore, I hold that the amendments proposed by the hon'ble Member Sri Nagappa are not relevant and they are inadmissible.

The second question is about the scope of the amending Bill. He has tried to bring to my notice a ruling given by the Hon'ble Speaker of the Bengal Assembly. We do not know what are the exact provisions of the rules in Bengal. In our Rules, an amendment must satisfy two conditions namely it must be within the scope of the Bill and it must be relevant to the clause it relates. Therefore, the Chair very much doubts whether the Bengal ruling has any application to this case.

Further, every case has to be decided on its own merit. We are not in possession of all the facts which led the Hon'ble Speaker of the Bengal Assembly to give the Ruling referred to by the Hon'ble member.

An argument is made whether the preamble is an open preamble or a limited one. The preamble cannot be interpreted in bits. The whole thing has got to be read together. It has been said that the amendment sought to be moved is covered by the preamble. The absence of the words: 'as hereinafter provided' does not make any difference in the actual interpretation of the amending Bill. The entire Bill has to be taken as an organic whole.

Next he brought to my notice the Ruling of the Parliament given by the Chair in the year 1965 and it is mentioned there, no extraneous matters are to be brought.

The Hon'ble Member Sri Nagappa has argued that the Bill is seeking to create new categories of ministers. It is difficult for me to agree with that view. The Bill does not seek to create categories of Ministers. The Hon'ble Chief Minister has a right under the provisions of article 164 of the Constitution to appoint as many Ministers as he thinks fit and he can have Ministers under the various classes depending upon his needs. Therefore, under article 164 it is for him to appoint Ministers. Deputy Ministers and Ministers of State or Parliamentary Secretaries, or by whatever name they are called. It is for him to have as many

Ministers as he thinks fit for running the administration. It is not for me to endorse what he has done or not endorse what he has done. He need not come to this House for approval as to the number of Ministers or categories of Ministers that he wants to create. The scope of the Bill is limited to fixing their salaries and emoluments. It does not refer to the creation of Ministers or categories of Ministers created or appointed by the Hon'ble Chief Minister. The scope is only to make provision for the salaries and emoluments and other conditions of services of Ministers who have been already appointed. It is not correct to say that this Bill is creating Ministers of different categories.

Now with respect to the amendments which we have circulated, he said that the amendments are allowed because they are circulated. It is not correct. Because his amendments are circulated, it does not mean that they are allowed. They are circulated merely for the purpose of bringing them to the notice of the Hon'ble Members. Therefore, mere circulation will not render an amendment admissible on the floor. The admissibility will have to be decided on merits applying the Rule in each case, when it is actually taken up.

Therefore, the amendment restricting the number of Ministers to 5 or any other number is not correct. It is extraneous to the amending Bill. The Ministers are appointed not under this Bill but under the provisions of article 164.

Therefore, I disallow the amendment.

2-30 P.M.

SRI K. PUTTASWAMY.—Some work relating to my Department is being postponed from day-to-day in the Upper House. I have requested the hon'ble Finance Minister to look after my work. With your permission, I am leaving the House.

MR. SPEAKER.—All right. I have no objection. Anyhow the responsibility is joint and let any Minister attend to the business. But I did not know beforehand that you had entrusted your work to the Finance Minister.

CLAUSES 2 to 3

I shall put the clauses. There are no amendments up to Clause 4. The question is :

“That Clauses 2 and 3, stand part of the Bill.”

The motion was adopted.

Clauses 2 and 3, were added to the Bill.

MR. SPEAKER.—There is an amendment to Clause 4. Hon. Member Sri T. R. Shamanna to move it.

Sri T. R. SHAMANNA.—I beg to move :

“That in the proposed section 6A, for the words ‘one thousand rupees’, the words ‘nine hundred rupees’ shall be substituted.

“in the proposed Section 6D, item (b) for the words ‘seventy five’, the words ‘fifty’ shall be substituted.

“In the proposed Section 6D, after item (b) the following new item shall be inserted :

“(c) cost of water supply as per bills furnished by the Bangalore Water Supply and Sewerage Board’.”

Mr. SPEAKER.—Amendment moved :

“That in the proposed section 6A, for the words ‘one thousand rupees’, the words ‘nine hundred rupees’ shall be substituted.

“in the proposed Section 6D, item (b) for the words ‘seventy five’, the words ‘fifty’ shall be substituted.

“In the proposed section 6-D, after item (b) the following new item shall be inserted :

“(c) cost of water supply as per bills furnished by the Bangalore Water Supply and Sewerage Board’.”

†ಶ್ರೀ ಬಿ. ಆರ್. ಶಾಮಣ್ಣ.—ಮಾನ್ಯ ಸಭಾಪತಿಗಳೇ, ಈಗಾಗಲೇ ಈ ಮಂತ್ರಿಮಂಡಲದ ದುರ್ಭರತ ಗಾತ್ರ ಮತ್ತು ದೇಶಕ್ಕೆ ಇದರಿಂದಾಗಿರುವ ತೊಂದರೆ ಮೃತ್ಯು ದೇಶ ಕಷ್ಟ ಪರಿಸ್ಥಿತಿ ಯಲ್ಲರುವಾಗ ಹೆಚ್ಚು ಖರ್ಚು ಮಂತ್ರಿಗಳಾಗಿ ಮಾಡಬೇಕಾದ್ದು ಸೂಕ್ತವೇ ಎಂಬ ಬಗ್ಗೆ ಸಾರ್ವಜನಿಕ ಮಾನ್ಯ ಸದಸ್ಯರು ತಮ್ಮ ಅಭಿಪ್ರಾಯವನ್ನು ತಿಳಿಸಿದ್ದಾರೆ, ಈ ವಿಚಾರ ಸಾಕಷ್ಟು ಚರ್ಚೆಯಾಗಿರುವುದರಿಂದ ಇದರ ಬಗ್ಗೆ ನಾನು ಮಾತನಾಡಬೇಕಾದ ಪ್ರಮೇಯವಿಲ್ಲ ಈಗ 4ನೆಯ ಕ್ಲಬ್‌ಗೆ ನಾನು ಕೆಲವು ಬದಲಾವಣೆಗಳನ್ನು ಸೂಚಿಸಿದ್ದೇನೆ. ಅದರ ಉದ್ದೇಶವಿಷ್ಟೆ : ಮಾನ್ಯ ಸಚಿವರು ತಮ್ಮ ಅಧಿಕಾರದ ದರ್ಜೆಯಲ್ಲಿ ಜನಸಾಮಾನ್ಯರ ಕಷ್ಟವನ್ನು ಮರೆಯುತ್ತಾರೆ, ಅವರ ಅಮೂಲನಲ್ಲಿ ಜನರಿಗಿರುವ ತೊಂದರೆಯನ್ನು ಮರೆಯುತ್ತಾರೆ ಎಂಬ ಉದ್ದೇಶದಿಂದ ಕೆಲವು ತಿದ್ದುಪಡಿಗಳನ್ನು ಸೂಚಿಸಿದ್ದೇನೆ. ಅದರಲ್ಲಿ ಮುಖ್ಯವಾಗಿ ಬೆಂಗಳೂರಿನ ನಾಗರಿಕರಿಗೆ ಬರುವ ನೀರಿನ ಅತಿ ಹೆಚ್ಚಿನ ಮೊತ್ತದ ಬಿಲ್ಲಿನ ಕಷ್ಟವು ಅವರಿಗೆ ಗೊತ್ತಾಗಬೇಕಾದರೆ ಅವರ ಸ್ವಂತ ಖರ್ಚಿನಿಂದ ಅವರ ನೀರಿನ ಬಿಲ್ಲನ್ನು ಕಟ್ಟಬೇಕು, ಹಾಗೆ ಕಟ್ಟಿದರೆ ಅವರಿಗೆ ಅದರ ಕಷ್ಟ ಗೊತ್ತಾಗುತ್ತದೆ ಎಂಬುದು ಒಂದು ಉದ್ದೇಶ. ಸಚಿವರೇ ಇದನ್ನು ಅನೇಕ ಸಾರಿ ಮನವಿ ಮಾಡಿದರೂ ಅವರ ಮನಸ್ಸಿಗೆ ಇದರ ಕಷ್ಟ ಬರಲಿಲ್ಲ. ಸಾರ್ವಜನಿಕ ರೂಪಾಯಿಗಳ ಬಿಲ್ಲು ಬಂದರೆ ಹೇಗೆ ಕೊಡಲು ಸಾಧ್ಯ? ನೀರಿನ ಖರ್ಚು ವೆಚ್ಚ ಅವರಿಗೆ ತಿಳಿದಾಗ ಮಾತ್ರ ಅದರ ಕಷ್ಟ ಅವರಿಗೆ ಗೊತ್ತಾಗುವುದು. ಅದುದರಿಂದ ಮಂತ್ರಿಗಳಿಗೆ ಎಷ್ಟು ಬೇಕಾದರೂ ಸಂಬಳ ಕೊಡಬಹುದು, ಆದರೆ ಗಿಂಬಳ ಕೊಡಬಾರದು, ಕೊಟ್ಟರೆ ದುರುಪಯೋಗ ಮಾಡಲು ಸಾಧ್ಯವಿದೆ. ‘ಇತ್ಯಾದಿ’ ಎಂದಿರುವುದನ್ನು ತಪ್ಪಿಸಿ 2 ಅಥವಾ 3 ಸಾವಿರ ರೂಪಾಯಿ ಸಂಬಳ ಮಾತ್ರ ಕೊಟ್ಟರೆ ಅನುಕೂಲ. ಮಾನ್ಯ ಸದಸ್ಯರು ಹಿಂದೆ ಹೇಳಿದಂತೆ ನ್ಯಾಯವಾದಷ್ಟು ಸಂಬಳ ಕೊಟ್ಟರೆ ಅವರಿಗೂ ಮತ್ತು ದೇಶಕ್ಕೂ ಅನುಕೂಲ. ಇದನ್ನು ಪದೇ ಪದೇ ಅರಿವು ಮಾಡಬೇಕಾಗಿಲ್ಲ. ಅನೇಕರಿಗೆ ನೂರಾರು ರೂಪಾಯಿಗಳ ನೀರಿನ ಬಿಲ್ಲು ಬರುತ್ತಿದೆ. ಮಂತ್ರಿಗಳಿಗೆ ಅದರ ಕಷ್ಟ ಗೊತ್ತಾಗಬೇಕಾದರೆ ಅವರ ನೀರಿನ ಬಿಲ್ಲನ್ನು ಅವರ ಕೈಯಿಂದ ಕಟ್ಟಬೇಕು. ಅದುದರಿಂದ ಸರಕಾರದವರೇ ಮಂತ್ರಿಗಳ ನೀರಿನ ಬಿಲ್ಲನ್ನು ಕಟ್ಟುವುದಕ್ಕೆ ಬದಲಾಗಿ ಮಂತ್ರಿಗಳೇ ಕೊಡಬೇಕು ಎಂದು ಒಂದು ತಿದ್ದುಪಡಿಯನ್ನು ತಂದಿದ್ದೇನೆ.

ಸರಕಾರವು ಸಾಧಾರಣವಾಗಿ ಒಂದು ಸಾವಿರ ಅಥವಾ 900 ರೂಪಾಯಿ ಸಂಬಳ ಬರುತ್ತಿರುವವರಿಗೆ ಎದ್ದುಕೊಳ್ಳುತ್ತಿ ಸಂಬಂಧಪಟ್ಟ ಬಿಲ್ಲು 20 ಅಥವಾ 30 ರೂಪಾಯಿಗೆ ಬರುವುದು.

ಹಾಗಿರುವಾಗ ಮಂತ್ರಿಗಳಿಗೆ ಎದ್ಯುಚ್ಚಕ್ತಿ ಉಪಯೋಗಕ್ಕಾಗಿ 75 ರೂಪಾಯಿಗಳನ್ನು ಕೇಳುವುದು ಅನ್ಯಾಯ. ಅದುದರಿಂದ ಅದನ್ನು 50 ರೂಪಾಯಿಗಳಿಗೆ ನಿಗದಿ ಮಾಡಬೇಕೆಂಬುದು ಇನ್ನೊಂದು ತಿದ್ದುಪಡಿ. ಎದ್ಯುಚ್ಚಕ್ತಿಗೇ 75 ರೂಪಾಯಿ ಎಂದರೆ ಇತರ ಖರ್ಚುಗಳೂ ಜಾಸ್ತಿಯಾಗುತ್ತವೆ.

ಮಂತ್ರಿಗಳಿಗೆ ಮೆಡಿಕಲ್ ಥಾರ್ಪಸ್ ಬೇರೆ ಕೊಡುತ್ತಾರೆ. ಕೃಷ್ಣರಾಜೇಂದ್ರ ಮಾರ್ಕೆಟ್ ನಲ್ಲಿರುವ ಹಿರಣ್ಯ ಸ್ಟೋರ್ಸ್‌ನಲ್ಲಿ ಕೊಂಡುಕೊಂಡ ಒಪ್ಪಲನ್‌ಗೆ ಮಾರ್ಕೆಟ್ ಮುಂದಿರುವ ಮೆಡಿಕಲ್ ಸ್ಟೋರ್ಸ್‌ನಲ್ಲಿ ಬಿಲ್ಲು ತಂದಿದ್ದಾರೆ. ಇಂಥಾದ್ದಕ್ಕೆಲ್ಲಾ ಅವಕಾಶವಿರಬಾರದು. ಅದುದರಿಂದ ಗಿಂಬಳ ಎಂದರೆ ಇಂಥಾ ಸಾಮಾನುಗಳನ್ನು ತೆಗೆದುಕೊಂಡು ದುಂದು ಮಾಡಲು ಅವಕಾಶವಿರ ಬಾರದು ಎಂದು ಖಚಿತವಾಗಿ ನಿಗದಿಯಾದ ಸಂಬಳ ಕೊಡಿ ಎಂದು ಹೇಳುತ್ತಿದ್ದೇನೆ. ತೋರವನ್ನು ಕುರಿ ಕಾಯಿ ಎಂದರೆ ಸಂಬಳವಿಲ್ಲದೆ ಕಾಯುತ್ತೇನೆ ಎಂದು ಹೇಳುವಂತಾಗಬಾರದು, ಇದಕ್ಕೆ ಅವಕಾಶ ಕೊಡಬಾರದು. ಖಚಿತವಾಗಿ ಗೊತ್ತುಮಾಡಿ ಎಂದು ಹೇಳುತ್ತಿದ್ದೇನೆ. ಈಗ ಒಂದು ಸಾವಿರ ಕೊಡುವ ಸಂಬಳವನ್ನು 900 ರೂಪಾಯಿಗಳಿಗೆ ಇಳಿಸಬೇಕು. ಇದನ್ನು ಮಂತ್ರಿಗಳ ಅನುಕೂಲಕ್ಕಾಗಿ ಹೇಳುತ್ತೇನೆ. ಮಂತ್ರಿಪದವಿಯು ಶಾಶ್ವತವಲ್ಲ. ನಾಳೆಯ ದಿವಸ ಪದವಿ ಹೊದ ಮೇಲೆ ಕಷ್ಟವಾಗುವುದು. ಆ ಸಂದರ್ಭ ಶೀಘ್ರವಾಗಿ ಬರುವುದು. ಅದುದರಿಂದ ಹೆಚ್ಚು ಸಂಬಳ ತೆಗೆದುಕೊಂಡು ಹೆಚ್ಚು ರಾಜ ವೈಭವ ಅನುಭವಿಸಿ ಅಮೇರಿ ಕಷ್ಟಪಡುವುದು ಬೇಡ. ಮಹಾತ್ಮ ಗಾಂಧಿಯವರು 500 ರೂಪಾಯಿಗಳಿಗಿಂತ ಹೆಚ್ಚು ಸಂಬಳ ತೆಗೆದುಕೊಳ್ಳಬಾರದೆಂದು ತೀರ್ಮಾನ. ಆಪ್ತಲ್ಲದಿದ್ದರೂ ಬಹಳ ಹೆಚ್ಚು ತೆಗೆದುಕೊಳ್ಳಬಾರದು. ಆ ಉದ್ದೇಶದಿಂದ ತಿದ್ದು ಪಡಿ ತರಲಾಗಿದೆ. ಇದು ಬಹಳ ಸೂಕ್ತವಾಗಿದೆ. ಎಲ್ಲಕ್ಕಿಂತ ಮುಖ್ಯವಾಗಿ ಮಂತ್ರಿಗಳೇ ಅವರ ನಿರೀತಿ ಬಿಲ್ಲನ್ನು ಕಟ್ಟಬೇಕು, ಹೀಗೆ ಮಾಡಿದರೆ ನಿರೀತ ಸಮಸ್ಯೆ ಬೇಗ ಬಗೆಹರಿಯುವುದು ಎಂಬ ಭರವಸೆ ಇದೆ. ಸುಮ್ಮನೆ ಕೇಳಿದರೆ ಗೊತ್ತಾಗುವುದಿಲ್ಲ. ಮೊನ್ನೆ ಪೋಲೀಸ್ ಕಾರ್ಪೊರೇಟ್‌ಗೆ ನಿರೀತಿ ಕಟ್ ಮಾಡಿದಾಗ 21 ಸಾವಿರ ರೂಪಾಯಿಗಳನ್ನು ಕಟ್ಟಿದರು, ಹರಿಜನರ ಹಾಸ್ಟೆಲ್‌ಗೆ 5 ಸಾವಿರ ರೂಪಾಯಿಗಳಿಗೆ ಬಿಲ್ಲು ಬಂತು. ಅದನ್ನು ತಿಳಿಸಿದರೆ 41 ಹುಡುಗರಿದ್ದಾರೆ, ಕೊಡುತ್ತಾರೆ ಎಂದು ಹೇಳಿದರು. ಹೀಗೆ ಹೆಚ್ಚು ಮೊತ್ತಕ್ಕೆ ಬಿಲ್ಲು ಬಂದರೆ ಕಷ್ಟವು ಹೇಗೆ ಎಂಬುದು ಆ ಕಷ್ಟ ಮಂತ್ರಿಗಳಿಗೆ ಗೊತ್ತಾಗಬೇಕು. ಅದುದರಿಂದ ಖಂಡಿತವಾಗಿ ಮಂತ್ರಿಗಳಿಗೆ ಉಚಿತವಾಗಿ ನಿರೀತಿ ನೋಡಗಿಸುವ ಪದ್ಧತಿಯನ್ನು ತಪ್ಪಿಸಿ ಸಂಬಳ ಬೇಕಾದರೆ 3 ಸಾವಿರವಲ್ಲದಿದ್ದರೆ 5 ಸಾವಿರ ಕೊಡಿ, ತೊಂದರೆಯಿಲ್ಲ. 'ಇತ್ಯಾದಿ' ಎಂಬಿರುವುದನ್ನು ತೆಗೆಯಬೇಕು ಎಂಬುದೇ ನನ್ನ ಮುಖ್ಯೋದ್ದೇಶ. ಈ ತಿದ್ದುಪಡಿಗಳನ್ನು ಒಪ್ಪಿಕೊಳ್ಳಬೇಕು, ಇದು ಕೇವಲ ಸಣ್ಣ ಬದಲಾವಣೆ ಎಂದು ಕೇಳಿ ಕೊಳ್ಳುತ್ತೇನೆ.

Sri RAMAKRISHNA HEDGE (Minister for Finance and Youth Affairs).—I have nothing to say except that the amendment is not acceptable.

Mr. SPEAKER.—What does the mover propose to do?

Sri T. R. SHAMANNA.—If the spirit of my amendment is understood by the Government, I would be satisfied. I am not going to press my amendment. I beg leave to withdraw my amendment.

The amendment was by leave withdrawn.

Mr. SPEAKER.—I will put the clause to the Vote of the House. The question is:

“That Clause 4 stand part of the Bill.”

The motion was adopted.

Clause 4 was added to the Bill.

CLAUSES 5 TO 10

Mr. SPEAKER.—Question is :

“That clauses 5 to 10, both inclusive, stand part of the Bill”

The motion was adopted.

Clauses 5 to 10, both inclusive, were added to the Bill.

Mr. SPEAKER.—The question is :

“That Clause 1, the Title and the Preamble stand part of the Bill”.

The motion was adopted.

Clause 1, the Title, the Preamble were added to the Bill.

Motion to pass

Sri RAMAKRISHNA HEGDE.—Sir, I move :

“That the Mysore Ministers’ Salaries and Allowances (Amendment) Bill, 1968 be passed.”

Mr. SPEAKER.—The question is :

“That the Mysore Ministers’ Salaries and Allowances (Amendment) Bill, 1968 be passed.”

The motion was adopted.

MYSORE IRRIGATION (LEVY OF BETTERMENT, CONTRIBUTION AND WATER RATE, (AMENDMENT) BILL, 1968.

Motion to Consider

Mr. SPEAKER.—Now, the Mysore Irrigation (Levy of Betterment, Contribution and Water Rate (Second Amendment) Bill, 1968 will be taken up for consideration.

Sri M. NAGAPPA.—Sir, I have got a point of order for that. My point of order is this, Sir. There are two Bills that are going to be taken up as per the Agenda. One is the Mysore Irrigation Levy of Betterment Contribution and Water Rate (Second Amendment) Bill, 1968 published on 16th August 1968 and the second is, the Mysore Irrigation Levy of Betterment, Contribution and Water Rate (Second Amendment) Bill, 1968 published on 30th August 1968. They are contradictory Bills. Contradictory amendments have been brought by amending the amending Bill. Is it proper to bring one amendment to section 4 and at the same session bring another amendment to it by changing the entire section? Therefore I submit it is not quite in order unless one of the Bills is withdrawn. No Rules of Procedure will permit placing two contradictory Bills on the Table of the House.